

**GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2794
ANSWERED ON:01.08.2002
INCREASE IN CIVIL CASES
JAYASHREE BANERJEE

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

- (a) whether the amendment is being made in laws and the court proceedings for resolving the problem of increasing the number of cases in the civil courts;
- (b) if so, the details thereof;
- (c) the steps proposed to be taken for the immediate disposal of the cases;
- (d) whether the consent of the advocate/associations has been taken in this regard; and
- (e) whether the Chief Justices of the High Courts have been consulted in this regard?

Answer

MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI)

(a) Yes, Madam.

(b) The Code of Civil Procedure (Amendment) Act, 1999, and the Code of Civil Procedure (Amendment) Act, 2002 have been brought into effect as per the Government notification dated 1st July 2002. The two Amendment Acts in Code of Civil Procedure, 1908 provide, inter-alia, fixing time frame for submission of written statement, early examination of witnesses by Commission, restriction of number of adjournments to three to a party to a suit and delivery of judgment within 60 days after the hearing is over. As many laws adopt the procedure prescribed under the Civil Procedure Code, the amendments to the Code will have a much wider salutary effect on reducing delays in courts.

(c) Both the Government and the Judiciary are concerned with the quick disposal of pending cases. Various steps have been taken by the Government for speeding up the disposal of these cases. These include simplification of rules and procedure on the basis of the advice and recommendations of expert bodies like the Law Commission, the Malimath Committee etc; Fast Track Courts are being set up for the expeditious disposal of long pending sessions cases and cases involving under-trials who have been in jails for a long time.

(d) Yes, Madam. The various Bar Associations had been consulted and their views were taken into account before amendments, were made in the Civil Procedure Code.

(e) The Chief Justices of the High Courts were consulted through the Chief Justices Conference held in 1997 with regard to original version of the Code of the Civil Procedure (Amendment) Bill, 1999 i.e. Bill of 1997.